

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA**

IN THE MATTER OF:

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COURT REGISTRY FUNDS

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**AMENDED ORDER ADOPTING GUIDELINES
FOR THE DEPOSIT OF REGISTRY FUNDS**

Rule 67 of the Federal Rules of Civil Procedure having been amended on August 1, 1983, wherein this rule now requires all registry funds with the exception of criminal cash bail, cost bonds, and civil garnishments, to be deposited in interest-bearing accounts, therefore it is

ORDERED by the Court that to comply with amended Rule 67, Fed.R.Civ.P. the following guidelines are hereby adopted, to-wit:

1. The party depositing money into this court's registry account must serve the clerk with a court order and notice in accordance with Rule 67. This order should specify the amount to be invested, the type of investment, the rate of interest and the name of one of the institutions listed in # 5 below, where the money is to be deposited.
2. If the Clerk is not served with a court order when money is tendered to this court, then those funds will be deposited into the Registry Account - CAN 200, until such time as the Clerk is directed by court order how to invest the funds.
3. Cost bonds and other bonds in the form of cash, such as removal cost bonds, admiralty cost bonds, injunction cost bonds, etc., are not governed by Rule 67, Fed.R.Civ.P., and therefore do not need to be deposited into interest-bearing accounts. These funds when received should be deposited in Registry CAN 200 unless accompanied by court order directing deposit to an interest-bearing account.
4. Civil garnishments are not governed by Rule 67, Fed.R.Civ.P., and therefore will not be deposited into an interest-bearing account. Payments received on garnishments should be deposited in CAN 100.
5. The Court hereby designates the First Alabama Bank of Mobile; the SouthTrust Bank of Mobile; the AmSouth Bank, N.A.; the Central Bank of the South; the Bank of Mobile, N. A.; and the Colonial Bank of Mobile as the depositories for registry funds received by this court.
6. Said Banks will provide capabilities to and will calculate accrued interest on any portion of funds on deposit from the date of initial deposit to any date requested by the Court.

7. Said Banks will secure all funds on deposit in excess of \$100,000.00 per single account with unpledged U.S. Government securities.
8. In all cases, before disbursement of any funds, counsel must furnish to the Clerk or the Financial Administrator the social security or tax identification number of the recipient of any accrued interest in excess of Ten Dollars (\$10.00) or more where applicable.
9. The Clerk shall furnish to the appropriate bank the social security or tax identification number of the recipient of any accrued interest and the bank will file information returns pursuant to Rule 76-50 of the Internal Revenue Service on all interest payment of Ten Dollars (\$10.00) or more where applicable.
10. These services will be provided by the banks without service charges to this Court.
11. Under the authority of 28 U.S.C. 1914 and 1930 the Clerk of Court, whose fee schedules are set by the Judicial Conference of the United States, will assess a fee for the handling of all funds deposited in noncriminal proceedings with the court and held in interest bearing accounts or instruments pursuant to 28 U.S.C.2041 and Rule 67 of the Federal Rules of Civil Procedure.

The Judiciary Appropriation Act for Fiscal Year 1989 (Pub.L.100-459) established a special fund in the U.S. Treasury for the fees imposed for handling registry funds, which will be available for use by the Judiciary, as more fully set out in Exhibit 1 attached hereto.

12. The Clerk and the Administrative Supervisor are hereby designated as the Fiduciary Officers of this Court with authority to sign registry account checks and/or withdrawal slips from interest-bearing accounts, but no disbursement shall be made from the Registry Account except by order of this Court.

DONE this the 12th day of June, 1989.

/s/
ALEX T. HOWARD, JR., CHIEF JUDGE

/s/
CHARLES R. BUTLER, JR., DISTRICT JUDGE

/s/
WM. BREVARD HAND, SENIOR JUDGE

/s/
VIRGIL PITTMAN, SENIOR JUDGE

/s/
DANIEL H. THOMAS, SENIOR JUDGE